

the benefits applicable to local hires in the country of hire or the place of employment, whichever benefits are greater, provided that all benefits payable on account of one injury must be paid under the same benefit structure.

(2) Where no well-defined workers' compensation benefits structure is provided in either the country of hire or the place of employment, the provisions of § 25.2(d) shall apply.

(3) Where equitable considerations as determined by the Director so warrant, a fourth country national may be awarded benefits applicable to local hires in his home country.

#### **§ 25.7 Non-citizen residents of possessions.**

An employee who is a bona fide permanent resident of any United States possession, territory, commonwealth or trust territory shall be accorded the full benefits of the basic law (Federal Employees' Compensation Act, as amended), provided that the application of the minimum benefit provisions therein shall be governed by the restrictions set forth in 5 U.S.C. 8138.

### **Subpart B—Special Schedule of Compensation**

#### **§ 25.11 Compensation for disability.**

Compensation for disability shall be paid to the employee as follows:

(a) *Permanent total disability.* In case of disability, total in character and permanent in quality, 66⅔ per centum of the monthly pay during the continuance of such disability.

(b) *Temporary total disability.* In case of disability, total in character and temporary in quality, 66⅔ per centum of the monthly pay during the continuance of such disability.

(c) *Permanent partial disability.* In case of disability, partial in character and permanent in quality, 66⅔ per centum of the monthly pay, for the following losses and periods:

(1) Arm lost, 280 weeks' compensation.

(2) Leg lost, 248 weeks' compensation.

(3) Hand lost, 212 weeks' compensation.

(4) Foot lost, 173 weeks' compensation.

(5) Eye lost, 140 weeks' compensation.

(6) Thumb lost, 51 weeks' compensation.

(7) First finger lost, 28 weeks' compensation.

(8) Great toe lost, 26 weeks' compensation.

(9) Second finger lost, 18 weeks' compensation.

(10) Third finger lost, 17 weeks' compensation.

(11) Toe, other than great toe, lost, 8 weeks' compensation.

(12) Fourth finger lost, 7 week's compensation.

(13) Loss of hearing: One ear, 52 weeks' compensation; both ears, 200 weeks' compensation.

(14) Phalanges: Compensation for loss of more than one phalanx of a digit shall be the same as for the loss of the entire digit. Compensation for loss of the first phalanx shall be one-half of the compensation for the loss of the entire digit.

(15) Amputated arm or leg: Compensation for an arm or a leg, if amputated at or above the elbow or the knee, shall be the same as for the loss of the arm or leg; but, if amputated between the elbow and the wrist, or between the knee and the ankle, the compensation shall be the same as for the loss of the hand or the foot.

(16) Binocular vision or per centum of vision: Compensation for loss of binocular vision, or for 80 per centum or more of the vision of an eye shall be the same as for the loss of the eye.

(17) Two or more digits: Compensation for loss of two or more digits, one or more phalanges of two or more digits of a hand or foot may be proportioned to the loss of use of the hand or foot occasioned thereby, but shall not exceed the compensation for the loss of a hand or a foot.

(18) Total loss of use: Compensation for a permanent total loss of use of a member shall be the same as for loss of the member.

(19) Partial loss or partial loss of use: Compensation for permanent partial loss or loss of use of a member may be for proportionate loss of use of the member.

(20) Consecutive awards: In any case in which there shall be a loss or loss of use of more than one member or parts of more than one member, set forth in

paragraphs (c)(1) to (19), inclusive, of this section but not amounting to permanent total disability, the award of compensation shall be for the loss or loss of use of each such member or part thereof, which awards shall run consecutively, except that where the injury affects only two or more digits of the same hand or foot, paragraph (c)(17) of this section shall apply.

(21) Other cases: In all other cases within this class of disability the compensation during the continuance of disability shall be that proportion of compensation for permanent total disability, as determined under paragraph (a) of this section, which is equal in percentage to the degree or percentage of physical impairment caused by the disability.

(22) Compensation under paragraph (c)(1) to (21), inclusive, of this section for permanent partial disability shall be in addition to any compensation for temporary total or temporary partial disability under this section, and awards for temporary total, temporary partial, and permanent partial disability shall run consecutively.

(d) *Temporary partial disability.* In case of disability, partial in character and temporary in quality, during the continuance of disability that proportion of compensation for temporary total disability, as determined under paragraph (b) of this section, which is equal in percentage to the degree or percentage of physical impairment caused by the disability.

#### **§ 25.12 Compensation for death.**

If the disability causes death the compensation shall be payable in the amount and to or for the benefit of the persons, determined as follows:

(a) To the undertaker or person entitled to reimbursement, reasonable funeral expenses not exceeding \$200.

(b) To the widow, if there is no child, 35 per centum of the monthly pay until her death or remarriage.

(c) To the widower, if there is no child and if wholly dependent for support upon the deceased employee at the time of her death, 35 per centum of the monthly pay until his death or remarriage.

(d) To the widow or widower, if there is a child, the compensation payable

under paragraph (b) or (c) of this section, and in addition thereto 10 per centum of the monthly wage for each child, not to exceed a total of 66⅔ per centum for such widow or widower and children. If a child has a guardian other than the surviving widow or widower, the compensation payable on account of such child shall be paid to such guardian. The compensation of any child shall cease when he or she dies, marries, or reaches the age of 18 years, or if over such age, and incapable of self-support, becomes capable of self-support.

(e) To the children, if there is no widow or widower, 25 per centum of such monthly pay for one child and 10 per centum thereof for each additional child, not to exceed a total of 66⅔ per centum thereof, divided among such children share and share alike. The compensation of each child shall be paid until he or she dies, marries, or reaches the age of 18, or if over such age, and incapable of self-support, becomes capable of self-support. The compensation of a child under legal age shall be paid to its guardian, if there is one, otherwise to the person having the custody or care of such child, for such child, as the Director in his or her discretion shall determine.

(f) To the parents, if one is wholly dependent for support upon the deceased employee at the time of his death and the other is not dependent to any extent, 25 per centum of such monthly pay; if both are wholly dependent, 20 per centum thereof to each; if one is or both are partly dependent, a proportionate amount in the discretion of the Director. The compensation to a parent or parents in the percentages specified shall be paid if there is no widow, widower, or child, but if there is a widow, widower, or child, there shall be paid so much of such percentages for a parent or parents, as, when added to the total of the percentages of the widow, widower, and children, will not exceed a total 66⅔ per centum of such pay.

(g) To the brothers, sisters, grandparents, and grandchildren, if one is wholly dependent upon the deceased employee for support at the time of his or her death, 20 per centum of such pay to such dependent if more than one are wholly dependent; 30 per centum of